

E1067/20011
Customer No. 31717

PATENT

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11/12/02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicant : David J. Brayden
Serial No. : 09/386,709
Filed : August 31, 1999
For : ORAL VACCINE COMPOSITIONS
Group Art Unit : 1645
Examiner : Jennifer E. Graser

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NOTICE OF APPEAL

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection of claims 21-25, 27-31, 33 and 35-37 in the Office Action of April 29, 2002.

This should also be considered an appeal from the final rejection of claims 38-40 if their omission from the list of rejected claims in the Office Action of April 29, 2002 was due to an oversight rather than allowance.

Applicant is enclosing a Petition for Extension of Time to extent to the date that this Notice is being filed.

Please charge the fee of Three Hundred Twenty Dollars (\$320.00) for the

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Notice of Appeal, or any additional fees associated with this Notice, to Deposit Account No.
03-0075.

A duplicate copy of this Notice of Appeal is enclosed.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

October 28, 2002

By Allan H. Fried
Allan H. Fried
Registration No. 31,253
Seven Penn Center
12th Floor, 1635 Market Street
Philadelphia, PA 19103-2212
(215) 567-2010
Attorneys for Applicants

CERTIFICATE OF MAILING

I hereby certify that the foregoing NOTICE OF APPEAL, in duplicate, a
PETITION FOR EXTENSION OF TIME, in duplicate, a TRANSMITTAL FORM, and a FEE
TRANSMITTAL FOR FY 2002, in duplicate, re Application Serial No. 09/386,709, are being
deposited with the United States Postal Service as First Class Mail, postage prepaid, in an
envelope addressed to Commissioner of Patents, Washington, D.C. on this 28th day of
October, 2002.

Allan H. Fried
Allan H. Fried
Reg. No. 31,253